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Atty Dkt 213680.00005

DUPLICATE
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
STEPHEN C. KENYON, ET AL.) Examiner: Unassigned
Application No.: 09/903,627) Group Art Unit: 2161
Filed: July 13, 2001)
For: AUDIO IDENTIFICATION) January 2, 2003
SYSTEM AND METHOD)

Commissioner for Patents
Washington, D.C. 20231
Attention: Group Director GAU 2600

PETITION TO MAKE SPECIAL PURSUANT TO 37 CFR 1.102

Sir:

Initially, please change the Attorney Docket Number to 213680.00005, and direct all future correspondence to the address listed at the end of this document.

Applicant respectfully petitions the Commissioner to advance examination of this application pursuant to the provisions of 37 CFR 1.102(d) and MPEP 708.02 based on the

existence of an infringing device currently being marketed and sold in the United States.

A. INFRINGING DEVICE ON THE MARKET

The undersigned states that there is an infringing device or product actually on the market or method in use in the United States.

B. COMPARISON OF CLAIMS TO DEVICE

The undersigned has conducted a rigid comparison of the infringing device, product, or method, and in my opinion, some of the claims are unquestionably infringed.

C. PRIOR ART SEARCH

The undersigned has a good knowledge of the pertinent prior art.

Copies of documents deemed most closely related to the subject matter of the claims are being filed concurrently herewith.

CONCLUSION

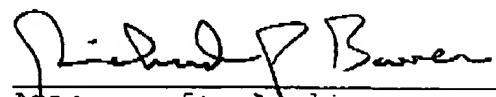
It is respectfully requested that examination of the application be advanced in accordance with the provisions of 37 CFR 1.102.

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The Commissioner is hereby authorized to charge the appropriate fee for a Petition to Make Special in accordance with 37 CFR 1.17(i) to Deposit Account No. 50-1710. A duplicate copy of this paper is attached.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3507. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Richard P. Bauer

Attorney for Applicants

Registration No. 31588

Patent Administrator
KATTEN MUCHIN ZAVIS ROSENMAN
525 West Monroe Street
Suite 1600
Chicago, Illinois 60661-3693
Facsimile: (312) 902-1061